

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**July 25, 2006**

DIVISION ONE

Court convened at 9:00 a.m.

Present: Spencer, P.J., Vogel (Miriam A.), J., Mallano, J., Rothschild, J. and P. Gonzalez, Deputy Clerk.

Each of the following:

B176413	People v. Jurcoane
B178442	People v. Watts & Hardridge
B181244	People v. Miguel G.
B183122	People v. Hicks
B183150	People v. Alvarado
B183660	People v. Jamar D.
B184337	People v. Stannard
B185531	People v. Sarabia
B183734	People v. Hinnacio V.
B183869	People v. Young
B186278	People v. Hurtado
B187215	DCFS v. Diana A.
B187239	DCFS v. Indira A.
B187812	DCFS v. Eva G.
B190406	Princess M., v. SCLA (DCFS, rpi)
B190865	Roseanna G., v. SCLA (DCFS, rpi)
B187959	DCFS v. Anthony J., et al.

Argument waived, cause submitted.

Each of the following:

B179968	McAteer v. Martin Bros/Marcowall, Inc.
B180313	Martin Bros. v. Superior Court

Matter continued to July 26, 2006.

July 25, 2006 (Continued)

DIVISION ONE (Continued)

Each of the following:

B175215 Shaw v. Universal Studios, Inc.

B182806 Aliado et al. v. The Roman Catholic Archbishop et al.

Matter continued to August 23, 2006.

B181875 Apex Therapeutic etc., et al. v. Factor Heath et al.

Matter continued to October 25, 2006.

B184728 People  
v.  
Jose Francisco Fuentes

Merits:

Argued by Kathy M. Chavez for appellant and by Robert S. Henry, Deputy Attorney General for respondent. Cause submitted.

Mallano, J., leaves the bench.

B182026 People  
v.  
Dorian Rafael Gonzalez

Merits:

Argued by Lynette Giadd Moore for appellant and by Roy C. Preminger, Deputy Attorney General for respondent. Cause submitted.

Mallano, J., returns to the bench.

Vogel, J., leaves the bench.

DIVISION ONE (Continued)

B180907      Las Brisas-Diamond Bar Homeowners Association  
                 v.  
                 Warren F. Dolezal et al.

Merits:  
Argued by John F. Hodges for appellants and by Peter E. Racobs for  
respondent. Cause submitted.

B185260      Stephe Tanidjaja  
                 v.  
                 Warren F. Dolezal et al.

Merits:  
Argued by John F. Hodges for appellant and by Howard B. Golds for  
respondent. Cause submitted.

B181775      Yong Duk Choi  
                 v.  
                 Kyung Sook Choi et al.

Merits:  
Argued by Yong Duk Choi, appellant in propria persona and by Edward J.  
Blum for respondent. Cause submitted.

Vogel, J., returns to the bench.

Rothschild, J., leaves the bench.

B182544      Emma Eastman  
                 v.  
                 Loretta Clark, et al.

Merits:  
Argued by Emma Eastman, appellant in propria persona and no appearance  
by Edmund C. Hoy for respondents. Cause submitted.

July 25, 2006 (Continued)

## DIVISION ONE (Continued)

B182444 Estate of DAN K. STEVENSON  
Kenneth G. Petrulis,  
v.  
William C. Wilks

Merits:

Argued by Tyna Thall Orren and Edward Wachtel for appellant and by Deborah F. Birndorf for respondent. Cause submitted.

Court adjourned.

B188470 People (Not for Publication)  
v.  
Bobby R.

The order is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.  
Mallano, J.

B183660      People                    (Not for Publication)  
v.  
Jamar D.

The May 19, 2005, dispositional order is modified as follows: (1) Conditions 15, 16, and 21 are modified to read as set out in Part I, *ante*; and (2) the maximum term of confinement is reduced to four years, ten months. As modified, the order is affirmed and the cause is remanded to the juvenile court with directions to recalculate the award of predisposition credits, and to issue a corrected order reflecting the modifications made by this opinion and by the court's recalculation of custody credits.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                      Rothschild, J.

July 25, 2006 (Continued)

DIVISION ONE (Continued)

B190865      Roseanne G.                      (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Department of Children & Family Services, r.p.i.)

The petition is denied.

Vogel (Miriam A.), J.

We concur:    Spencer, P.J.  
                 Mallano, J.

DIVISION TWO

B181971      People                                      (Not for Publication)  
v.  
Davis, et al.

McGrath's judgment is affirmed. Davis's judgment is modified by vacating his conviction of possessing cocaine in count 20. As modified, Davis's judgment is also affirmed.

Doi Todd, Acting P.J.

We concur:    Ashmann-Gerst, J.  
                 Chavez, J.

B190652      Stephanie K.                              (Not for Publication)  
v.  
Superior Court, Los Angeles County  
(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition is denied, and the order to show cause is discharged.

Doi Todd, Acting P.J.

We concur:    Ashmann-Gerst, J.  
                 Chavez, J.

July 25, 2006 (Continued)

## DIVISION TWO (Continued)

B181807      Boyd  
v.  
Pacific Bell, et al.

Filed order denying petition for rehearing.

**DIVISION THREE**

B178157      Marcia L. Kraft  
v.  
Maria Del Carmen Gordon

On the court's own motion, rehearing is granted. The matter stands resubmitted as of this date.

## DIVISION FOUR

B181184      Perez      (Certified for Publication)  
v.  
Dizon

The judgment is reversed, and the matter remanded for further proceedings in accordance with this opinion. The parties shall bear their own costs.

Manella, J.

We concur: Willhite, Acting P.J.  
Hastings, J. (Assigned)

B183818 City of West Hollywood  
v.  
1112 Investment Company, LLC

Filed order denying petition for rehearing.

July 25, 2006 (Continued)

## DIVISION FOUR (Continued)

B181975 People (Not for Publication)  
v.  
Kelly

The criminal street gang enhancement pursuant to section 186.22 is reversed and the case is remanded for resentencing. In all other respects the judgment of conviction is affirmed.

Epstein, P.J.

We concur: Willhite, J.  
Hastings, J. (Assigned)

## DIVISION FIVE

B185347 People (Not for Publication)  
v.  
John Long

The judgment is affirmed.

Kriegler, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

B183466      May Fuller  
v.  
City of Pasadena

Appellant's petition for rehearing denied by operation of law (CRC 24 [b] [1]).

July 25, 2006 (Continued)

## DIVISION SIX

[illegible]

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.  
Perren, J.

DIVISION SEVEN

B160528      Lyle  
v.  
Warner Brothers Television Productions

Filed order vacating submission order of June 21, 2006. The matter is placed on calendar for oral argument on October 5, 2006 at 1:30 p.m.

## DIVISION EIGHT

B186442      In re Gladys L.,      (Certified for Publication)  
                  Los Angeles County, D.C.S.  
                  v.  
                  Alex C.,

The order terminating Alex C.'s parental rights is reversed. The case is remanded to the juvenile court to determine whether, based upon the facts as they currently exist, a petition under section 300 can be properly pleaded and proven.

Cooper, P.J.

We concur:    Boland, J.  
                             Flier, J.



July 25, 2006 (Continued)

## DIVISION EIGHT (Continued)

[illegible]

The judgment is affirmed.

Cooper, P.J.

We concur: Boland, J.  
Flier, J.

B180378      Larson et al.,      (Not for Publication)  
v.  
Axelrod

The order granting the special motion to strike the complaint is reversed. The matter is remanded, and the trial court is directed to enter a new order granting the special motion to strike the abuse of process cause of action only. No party is entitled to costs or attorneys' fees on appeal.

Cooper, P.J.

We concur: Rubin, J.  
Flier, J.

B182988 People (Not for Publication)  
v.  
Hall aka Gwendolyn Shabazz, China Artis

The order revoking probation is affirmed.

Cooper, P.J.

We concur: Boland, J.  
Flier, J.

July 25, 2006 (Continued)

DIVISION EIGHT (Continued)

B185656      Save Tara  
                 v.  
                 City of West Hollywood  
                 Waset, Inc., et al.,

Filed order vacating submission order of April 25, 2006 and providing for briefing pursuant to Government Code Section 68081. The case will be deemed resubmitted on August 21, 2006.